

Approved
MINUTES
UTAH SOIL CONSERVATION COMMISSION (USCC) MEETING
January 29, 2003
Salt Lake City, Utah

ATTENDANCE

Chairman (Standing USCC Ex-officio):

Cary G. Peterson, *Commissioner, Utah Department of Agriculture and Food*

Appointed Soil Conservation District (SCD)

Supervisor USCC Members:

Paul Leishman, *Zone 1 Acting Alternate*

Dee Waldron, *Zone 2*

Richard L. Saunders, *Zone 3*

Stanley Wood, *Zone 4*

Ralph Staheli, *Zone 5*

Willard "Bill" Rasmussen, *Zone 6*

Lyle Bryner, *Zone 7*

Appointed SCD Alternate USCC Members:

Ben Thurgood, *Zone 2*

Chad Anderson, *Zone 4*

Allen Henrie, *Zone 5*

Edward Bench Jr, *Zone 6*

Robert Berry, *Zone 7*

Standing Ex-Officio USCC Members:

Larry Johnson, *President, Utah Association of Conservation Districts (UACD)*

Val Payne *for Sherman Hoskins, Deputy Director, Utah Dept. Natural Resources*

Bob Newhall *for Dr. Phillip Rasmussen, UT State University Extension (USU)*

Don Ostler, *Water Quality Division, Utah Department of Environmental Quality*

Conservation Partners Representatives:

Phillip "Skip" Nelson, *State Conservationist, National Resource Conservation Service-Utah (NRCS-UT), USDA*

**Conservation Partners Representatives
(Continued):**

Gordon Younker, *Executive Vice President UACD*

A. J. Martinez, *Bureau of Land Management, USDI*

William "Bill" Rigby, *Southwest Region Exec.*

Board Member, NACD

Penny Trinca, *Zone 1 Coordinator, UACD*

Ken Mills, *Zone 2 Coordinator, UACD*

Ray Loveless, *Zone 3 Coordinator, UACD*

David Pace, *Zone 4 Coordinator, UACD*

Tyce Palmer, *Zone 5 Coordinator, UACD*

Hal Lemon, *Zone 7 Coordinator, UACD*

Commission Staff Support from the Utah

Department of Agriculture and Food:

K. N. "Jake" Jacobson, *USCC Admin. Officer, M&CD*

Sherie Edginton, *USCC Secretary, M&CD*

Koy Page, *Ag Loan Administrator, Agricultural Loans Section, M&CD*

Dick Sandberg, *Loan Specialist, Agricultural Loans Section, M&CD*

Marti LaNoir, *Retired Ag Loan Account Technician*

Kris Allen, *Ag Loan Account Technician*

Roy Gunnell, *Environmental Scientist*

Guests:

Stephen Burningham, *Project Manager Plant Industry UDAF*

Randy Greenhalgh, *UACD Board Member*

SUMMARY OF COMMISSION ACTIONS

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|----|---|---------------|
| 1. | The <u>Minutes</u> of the November 6, 2002 USCC meeting approved. | <u>Page 2</u> |
| 2. | Approval of 2003 ARDL <u>Zone Allocations</u> | <u>Page 3</u> |
| 3. | Approval of the <u>USCC FY03 Budget Adjustments</u> | <u>Page 5</u> |

CALL TO ORDER

Mr. Larry Johnson, acting as chair for Commissioner Peterson who arrived later, called the meeting to order at 1:05 P.M. Commissioner Peterson left to attend Legislative committee meetings at 2:05 PM, Mr. Johnson chaired the meeting thereafter.

APPROVAL OF NOVEMBER MEETING MINUTES

Draft minutes of the November 6, 2002 USCC meeting were distributed in advance with this meeting notice either by U.S. Mail or email. Mr. Johnson asked for action on these minutes. **The motion was made by Mr. Richard Saunders to approve the November 2002 meeting minutes as distributed. Seconded by Mr. Bill Rasmussen. It passed by unanimous voice vote.**

CHAIRMAN'S REPORT

Commissioner Cary Peterson conveyed the latest information on the state's drought conditions on agriculture. The lack of water has cost between \$200 and \$250 million dollars in ag product loss, such as base livestock herd reduction and complete herd sell-off.

He reported the status of Exotic Newcastle Disease, which has wiped out millions of domestic poultry in California and Nevada. If this disease spreads to Utah it will devastate several egg producing facilities around the state as well as the turkey farms in Moroni. Fighting cocks, which traveled across state lines illegally, are the cause of the spread of Newcastle disease. Utah has already been affected because Mexico has placed quarantines on any poultry coming from California and Nevada's neighbors.

ISSUE UPDATE

STATE WEED CONTROL PROGRAM OVERVIEW

Mr. Stephen Burningham, Program Manager, Plant Industry Division UDAF reported on the Utah State Noxious Weed Program. He circulated copies of the Utah Noxious Weed Act, Chapter 17 of the Utah Agriculture Laws. This outlines the responsibility of UDAF, which administers the law, but enforcement of the law is at the county level. It is the county's responsibility to appoint a noxious weed board to develop and implement a program that will control the spread of the state's noxious weeds. There are currently 18 declared state noxious weeds. Tamarisk, or Salt Cedar, is being considered at this time to be added to the state weed list by the State Weed Committee. A new federal initiative is to encourage the development of Co-operative Weed Management Areas (CWMA) which brings communities together in a given area that have common concerns to solve their noxious weed problems. There are 10 CWMAs currently in the state. Organizing a CWMA makes it easier to apply for grant money from different agencies that provide money for noxious weed control. The state's various RC&D Councils are administering most grants.

Mr. Burningham reported on the state's the noxious weed free hay program. UDAF inspectors will certify hay growers product as weed free. This came about after the US Forest Service issued an order in 1996 that all feed products taken into national forest must be certified as weed free. In 1998 the BLM issued a similar order, and 2002 the State Institutional Trust Land Organization issued the same order. Prior to every cutting the hay is inspected, then the individual hay bails are issued a tag to indicate it is certified noxious weed free. All growers that are certified are included on a list, which is updated every Friday during the growing season. Hay cubes must be certified as weed free but hay pellets are exempt.

UTAH AFO/CAFO STRATEGY STATUS AND NEW EPA CAFO RULE

Mr. Ray Loveless, UACD Water Quality Specialist, reported on the progress of the state's Animal Feeding Operation (AFO) Inventory. As of January 9, 2003 there are 1149 AFO's, 51 CAFO's, 236 Potential CAFO's and 220 that do not qualify as either, totaling 1650 operations inventoried. This is 62% of the total estimated AFOs inventoried. All inventories must be completed by April 2003 per Federal Clean Water law rules.

The new EPA CAFO Rule doesn't have very many changes that effect Utah, except that the 51 CAFOs will need to keep stricter records. And an AFO doesn't have to include all animals on the feeding operation, which if they did would make them a CAFO. When the EPA drafted this new rule, they took into consideration the Utah strategy.

HISTORY OF STATE CONSERVATION DISTRICT LAW – SHOULD INTENT STILL APPLY?

Mr. Bill Rigby, Southwest Board Member, NACD updated the Commission on the history of state SCD's laws and the progress of the conservation provisions of the 2002 Federal Farm Bill. He circulated copies of several pages of "The Preparation of the Standard State Soil Conservation District Laws". Melbourn Wilson and Phillip Glick wrote the Standard Soil Conservation law in the 1930's during the dust bowl era. President Franklin Roosevelt encouraged state Governors to sponsor state legislation to create soil conservation districts. Thereby the districts became the conduits for state and federal assistance of soil conservation to farmers and ranchers. Mr. Rigby has lobbied Utah's US Senate and House of Representatives for more national recognition of the efforts of the SCD's. He has drafted a letter, which he will send to Senator Bob Bennett. He suggested that the Commission members write to their Congressmen and Senators asking that the farm bill funds be released so that conservation efforts will continue.

AGRICULTURE RESOURCE DEVELOPMENT LOAN (ARDL) PROGRAM

LOAN AND REPAYMENT STATUS UPDATE.

Mr. Koy Page recognized Ms. Marti LaNoir for her services in UDAF's Ag Loan Section before retiring earlier this year. He introduced Ms. Kris Allen as the new Ag Loan accounting technician.

The UDAF ARDL Program staff recommended the following 2003 Additional Zone Allocations:

	<u>2002 Balance</u>	<u>2003 Addition</u>	<u>2003 Balance</u>
Zone 1	\$127,753.00	\$300,000.00	\$ 427,753.00
Zone 2	\$165,898.00	\$300,000.00	\$ 465,898.00
Zone 3	\$157,249.00	\$300,000.00	\$ 457,249.00
Zone 4	\$330,440.00	\$700,000.00	\$1,030,440.00
Zone 5	\$223,525.00	\$800,000.00	\$1,023,525.00
Zone 6	\$ 69,967.00	\$500,000.00	\$ 569,967.00
Zone 7	\$ 47,372.00	\$400,000.00	\$ 447,372.00

This is a total allocation of \$3,300,000.00. This is less than what has been allocated in recent years, because of the anticipation that due to the drought and the new Farm Bill, loan application amounts will be smaller. **A motion was made by Mr. Dee Waldron to accept the 2003 Additional ARDL allocations as recommended by the staff, seconded by Mr. Stanley Wood. The motion passed by unanimous voice vote.**

Mr. Richard Sandberg gave the ARDL program funds report. The total Legislative appropriation to date is approximately \$15,782,619.00. The principal balance of Ag loans is \$20,003,084.00, and undisbursed funds are \$1,822,482, totaling \$21,825,566.00. The total number of loans is 999, with 880 being contracted and 119 pending. The average loan size is \$24,802.00. There are 4 loans that are 30 days past due. The principal repayments for FY2002 were \$3,274,216.00 and for FY2003 to date is \$2,567,760.00. Interest payments for FY2002 were \$578,908.00 and to date for FY2003 are \$482,389.00. Penalty payments for FY2002 were \$16,685.00, and for FY2003 year to date are \$1,995.00. Total payments received for FY2002 were \$3,869,809.00, and for FY2003 year to date are \$3,052,144.00.

Mr. Sandberg indicated that UDAF's Rural Rehab Loan Program has about \$1 million dollars available, with an interest rate is 5%. This is a good loan for beginning farmers to buy land.

CONSERVATION PARTNER'S UPDATE

SCD/ZONE 3 - Mr. Ray Loveless handed out a report on the accomplishment made in Zone 3 to date.

UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY (UDEQ)

Mr. Don Ostler reported that DEQ has taken a 4% FY03 budget cut, which has resulted in the elimination of positions. This was done by not filling positions, which were vacated. He said that DEQ was pleased with the progress of the AFO/CAFO inventories. Because of the Utah AFO strategy, local producers have a head start on complying with the Federal Clean Water mandates.

Dave Pace told of the consultants he met with in Richfield, who are writing the water quality management plan for Capitol Reef National Park. They said that Utah's Water quality information is more complete, better information, easier access and the people have a more cooperative attitude than anyone else they've worked with.

UTAH DEPARTMENT OF NATURAL RESOURCES (UDNR)

Mr. Val Payne reported that DNR is becoming more involved with federal agencies in their planning effort revisions for resource management plans. They are working with these agencies on their management plans in various counties to become more engaged with the planning processes. One important focus of the management plans is the Wild and Scenic Rivers designation.

Mr. Payne indicated that Utah Representative Styler has introduced a resolution in this year's legislature urging the Fish and Wildlife service to turn the management of wolves over to the State of Utah. DWR is concerned with the impact wildlife will have on the rangeland during the drought conditions. There have been additional permits issued for special hunts to address the herd limits during the drought.

UTAH DEPARTMENT OF AGRICULTURE AND FOOD – Environmental Quality Section

Mr. Roy Gunnell reported on funds from past State Animal Feed Operations (AFO) FY02 non-lapsing appropriations, which was \$337,000.00. All but \$87,000.00 has been disbursed. Of the \$125,000.00 Federal NRCS matching funds 40,000.00 has been spent. The FY01 319 NPS funds of \$330,000.00 for AFO's all but \$17,000.00 has been allocated. FY02 319 funds are \$100,000.00 to go to AFO's.

USDA NATURAL RESOURCE CONSERVATION SERVICE (NRCS)

Mr. "Skip" Nelson reported that NRCS is working under a continuing resolution because they haven't received a budget yet. This has slowed down the process of filling some job vacancies.

The Draft rules for EQIP funding have been completed and are available for comment. The public comment period is 30 days. By mid-March or April the final rules will be distributed. The new Chief Bruce Knight has made a commitment to livestock producers, and he wants each state to draft a strategy to keep that commitment. Utah's Conservation Partners have already addressed these issues. The EQIP funds will be divided between the 7 Zones for them to distribute, along with money earmarked for AFO/CAFO inventories.

USDI BUREAU OF LAND MANAGEMENT (BLM)

Mr. A. J. Martinez reported that the Utah Partners for Conservation & Development have drafted a resolution on the drought conditions. Because of the resolution the BLM will be part of meetings for public land grazing permit holders in February to assess the conditions of the rangeland and how it will impact the livestock producers grazing permits. There will be 4 meetings to be held in Cedar City, Richfield, Manti and Moab.

UTAH ASSOCIATION OF RC&D COUNCILS

Mr. Hal Lemon has been designated as the official representative of the state's RC&D Councils with the Commission. He reported the RC&D's are having a convention in St. George, April 16-17. One of the action items for the RC&D's is to become more involved with the SCD's.

SCC, SCD & PARTNERSHIP ITEMS

FY2003 USCC BUDGET ADJUSTMENTS

Mr. Jake Jacobson reported on the current FY2003 budget adjustments in the 3 USCC's appropriation units. SPA is the SCC administration budget, SPB is the Soil Conservation Commission member reimbursement account and SPC is pass through money for the districts and UACD. In December the legislature cut \$46,300 from the UACD pass through general contract funds. A table was provided that showed how the cut would impact the Commission's budget. **A motion was made to accept the FY03 budget adjustments by Mr. Dee Waldron, seconded by Mr. Paul Leishman, acting for Zone 1 member. It passed by unanimous voice vote.**

UPDATE OF USCC/UACD/NRCS MOU – *Adding TSP elements*

Mr. Jake Jacobson reported that with the addition of the Technical Service Provider Provisions of the 2002 Farm Bill, the USCC/UACD/NRCS MOU would be updated. There is a comment period for the new rules about Technical Service Providers, which ends February 11.

2003 UTAH LEGISLATIVE ISSUES THAT MAY AFFECT SCDs

Mr. Jake Jacobson reported on two 2003 State Legislative bills that could impact Utah's SCDs. HB54 states if special districts wish to acquire real property, their creating entity must approve it. SB18 states that the Lt. Governor's office must be notified if any special districts' boundaries are changed or if the district is dissolved or new districts are created.

2003 USCC APPROVED MEETING SCHEDULE

Mr. Jake Jacobson distributed a schedule of the approved meeting locations and dates.

OTHER ITEMS

Mr. Jake Jacobson reminded the Commission and SCD staff present that FY2004 USCC Technical Assistant Grant Program applications are due February 14.

Mr. Gordon Younker reminded the Commission of the UACD sponsored Legislative Breakfast the next morning.

CALENDAR OF FUTURE EVENTS

Next two SCC meetings: March 17 at St. George and May 21 at Roosevelt
UACD Sponsored Legislative Breakfast Report: January 30
NACD & NASCA 2003 Annual Meeting: February 9-12 at Orlando
2003 Utah Water Users Workshop: March 18-19 at St George
2003 Utah Conservation Field Day: May 22 in Duchesne SCD

ADJOURNMENT

The meeting adjourned at 3:25 PM.

Sherie Edginton, Soil Conservation Program Secretary

K.N. "Jake" Jacobson, USCC Administrative Officer